

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64433 of 2022

Arising Out of PS. Case No.-132 Year-2022 Thana- BIDUPUR District- Vaishali

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ARUN KUMAR @ JHALI RAI Son of Late Basant Roy Resident of Village-
Kanchanpur, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-04-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Bidupur P.S. Case No. 132 of 2022 dated 21.03.2022 a case registered for the offence under Sections 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

According to the prosecution case, while the informant and her wife were sleeping, one powerful bomb was exploded on the wall of their room. It is alleged that the petitioner and others have tried to killed the informant's family.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been



implicated in this case on the basis of suspicion. He further submits that there is no eye witness to the alleged occurrence and due to dirty village politics, petitioner has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and no cogent material suggesting the involvement of the petitioner in the alleged occurrence has surfaced in this case. Therefore, no case under Section 307 of the Indian Penal Code is made out against the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 22.07.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 132 of 2022 with the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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